



## COMPLAINTS AND APPEAL PROCEDURES

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### Our Aim

We hope that you will have no reason to complain about your experience with the College or to appeal any decision but, if you do, this procedure explains how your complaint / appeal will be handled. Our aim is to deal with complaints / appeals openly, fairly, promptly and without prejudice.

Our procedure separates complaints from appeals:

1. The complaint procedure will apply where a pupil or a person with parental responsibility for a pupil is unhappy with how the College has handled an issue or situation, or about any facilities or services which the College provides and wishes to have that complaint investigated and resolved.
2. The appeal procedure will apply where a pupil or a person with parental responsibility for a pupil considers that a specific decision taken by the College in respect of a pupil and which has a significant impact on their education or continuing education at the College should be varied or overturned. In the majority of cases, an appeal will relate to a decision about a disciplinary penalty to be imposed on a pupil, such as exclusion or suspension.

### General principles

When a complaint / appeal is received, it will be evaluated and a decision taken about which process is appropriate and which member of the staff or governing body is best placed to progress it. All complaints/ appeals will be taken seriously and thoroughly investigated.

Where a formal complaint / appeal is brought, written records are kept including of key discussions regarding the complaint / appeal. These records are stored securely, kept confidential and not disclosed unless the College is under a legal obligation to do so. The records are kept to comply with the College's legal obligations but also to enable the College to monitor complaints and ensure that, where appropriate, lessons are learned. The complaints records are reviewed on behalf of the Board of Governors on a regular basis and are also made available to inspectors from the Independent Schools' Inspectorate, on request.

If, as a result of any complaint / appeal, issues arise relating to staff discipline or capability, appropriate follow-up action will be taken by the College. However, complainants should



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be aware that details of any follow-up process will remain confidential to the College and the staff member involved.

It is hoped that most complaints / appeals will be resolved quickly, sensitively and to the satisfaction of all involved. If, however, the College considers that a complainant is behaving in an unreasonable manner when raising and/or pursuing their concerns, the College may regard the complaint / appeal as vexatious and deal with the matter in accordance with the process set out at the end of these procedures.

## **Confidentiality**

All complaints / appeals will be treated confidentially by the College. Additionally, as complaints / appeals involve sensitive and confidential information, all participants in a complaint / appeal must ensure that they keep information regarding the complaint / appeal confidential.

## **COMPLAINTS PROCEDURE**

### **What can be the subject of a complaint?**

The complaint procedure applies where a pupil or a person with parental responsibility for a pupil is unhappy with how the College has handled an issue or situation, or about any facilities or services which the College provides.

### **Stage One**

**Discuss concerns informally with the relevant member of staff.**

1. Complainants are advised to raise their concerns with the member of staff involved. Most problems can be resolved at this informal stage. The school will normally seek to resolve complaints at this stage within ten days.

### **Stage Two**

**Discuss concerns formally with the Head of the subject area or Head of Phase.**

1. More serious concerns which remain unresolved at the end of Stage 1 should be referred to the Head of the relevant subject area or the Head of Phase, if your complaint concerns a teacher in the infant or junior departments. He / she will then investigate the matter further. Details of the Heads of subject areas and the Heads of Phase are on our website.

2. The Head may ask to meet with the complainant and persons involved as appropriate, before deciding what action is appropriate.

3. The Head will communicate the outcome to the complainant either verbally or in writing. Any agreed actions will be put in writing and a copy provided to the complainant as soon as practicable.



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4. The school will normally seek to resolve complaints at this stage within ten days of receipt.

## **Stage Three**

Discuss formally with the Principal or Vice Principal.

1. If the Head has been unable to satisfy the complainant, Stage 2 is repeated with the Principal. Again, any agreed actions will be put in writing and a copy provided to the complainant as soon as practicable. If the complaint concerns the Principal or Vice Principal, the complaint should be made to the Chair of the Board of Governors.

The school will normally seek to resolve complaints at this stage within ten days of Stage 3 being reached.

If the complaint cannot be resolved to the satisfaction of the family an appeals committee can be formed comprising of the 2 governors and an independent person who has some relevant experience but who has no conflict of interest.

## **Records of formal complaints and appeals**

A written record will be kept of all complaints that are made in accordance with the procedure for formal complaints whether they are resolved following a formal procedure, or proceed to a panel hearing. The action taken by the school as a result of those complaints will be recorded regardless of whether they are upheld. Where appropriate, the findings of the panel will be shared with the individual(s) against whom the complaint has been made.

## **Confidentiality**

The correspondence, statements and records relating to individual complaints are to be kept confidential except where local legal requirements permit access.

## **APPEALS PROCEDURE**

What decisions can be appealed? The appeal procedure will apply where a pupil or a person with parental responsibility for a pupil considers that a specific decision taken by the College in respect of a pupil and which has a significant impact on their education or continuing education at the College should be varied or overturned. In the majority of cases, an appeal will relate to a decision about a disciplinary penalty to be imposed on a pupil, such as exclusion or suspension.

## **Appeal process**

If you wish to vary or overturn a decision made by the College, you should file a formal appeal in writing to the Chair of the Board of Governors who will then convene an Appeal Panel.



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1. The Appeal Panel will determine the appropriate procedure to be followed for the appeal, in conjunction with the Clerk to the Panel. The Panel has discretion to amend the procedure adopted at any time, including after an appeal has been initiated.
2. Upon receipt of an appeal, the Chair of the Board of Governors will convene a panel of three people to determine the appeal. The Panel will include 2 governors (who have not previously been involved in the subject-matter of the complaint) and 1 person who is independent of the College.
3. The appeal will be acknowledged by the Secretary to the Board of Governors, normally within five school days.
4. It is the responsibility of the persons appealing and the College representative to provide the Appeal Panel with all the information which the Panel will need in order to determine the appeal. The information required will depend on the circumstances of each appeal but is likely to include an outline of the decision being appealed and the reasons for that decision being appealed together with supporting documentation. From the College, it is likely that the information will include an outline of the College's response and the pupil's attendance record, report cards and/or disciplinary record, together with copies of any letters, notes or other communications which are relevant. Both parties should consider submitting a brief written statement from any witness who can provide evidence relevant to the complaint. This information should be submitted as soon as possible and no later than 7 days before the date of any hearing convened to determine the appeal. Material received after this time will only be permitted if the independent Chair considers it is fair and reasonable to do so having regard to all the circumstances, including the extent to which the other party and the panel will have an adequate opportunity to consider same.
5. The panel will aim to meet within 15 school days of receiving the appeal but this period is subject to availability of the panel members appointed. The appellant and the Principal have the right to attend the panel meeting and the date of the meeting will also be fixed by reference to their availability. Depending on the age of the pupil, he or she may also be asked to attend. Attendance of witnesses is generally discouraged where witness statements have been provided, unless a party specifically requests this step and the Panel considers that this is appropriate in the circumstances of any given case. Both parties may bring a supporter with them if they wish, provided the supporter also agrees to keep matters concerning the complaint confidential.
6. The Panel may ask both parties to make an opening statement before it begins its consideration of the matter; a closing statement may also be requested. The Panel may ask either party to provide information or to clarify their position at any time and may adjourn



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the meeting, if appropriate in the interests of fairness. The procedure is intended to be non-legalistic and legal representation is not generally permitted.

7. Notes of the panel meeting will be taken by the Clerk to the Governing Body.

8. The appellant and the College representative will be informed of the Panel's findings and decision in writing, generally within five school days of the panel meeting. There is no further right of appeal.

## **VEXATIOUS COMPLAINTS / APPEALS**

For the purpose of this procedure, a persistent complainant or appellant is someone who frequently and unjustifiably complains about issues, either formally or informally, or whose behaviour is unreasonable. Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious or which breach confidentiality
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- an insistence upon pursuing complaints in an unreasonable manner
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the College because it is unlawful.

Where the College considers that a person's behaviour is of concern, in the first instance the College will verbally inform the individual that his/her behaviour is considered to be becoming unreasonable/unacceptable and that, if his/her behaviour is not modified, action may be taken in accordance with this procedure. Further details of this procedure will be made available to the complainant at this point.

The number of formal complaints received during the previous academic year are available from the school office upon request.